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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BWB CO., LTD, a Japan limited liability company,

Plaintiff,

v.

ALIBABA GROUP HOLDING LIMITED,  
a Cayman Islands company, ALIBABA GROUP (US) INC., a Delaware company, ALIBABA CLOUD US LLC, a Delaware limited liability company, ALIBABA.COM US LLC, a Delaware limited liability company, ALIBABA.COM US ECOMMERCE CORP., a Delaware company,

Defendants.

Case No. 23-cv-5917-JD

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO DISMISS**

Date: March 7, 2024  
Time: 10:30 a.m.  
Judge: Hon. James Donato  
Courtroom: 11

1 Before the Court is Defendants Alibaba Group Holding Limited (“AGHL”), Alibaba  
2 Group (US) Inc., Alibaba Cloud US LLC, Alibaba.com, US LLC, and Alibaba.com US  
3 Ecommerce Corp.’s (“Ecommerce” and, collectively, “Defendants”) Motion to Dismiss  
4 Plaintiff’s Complaint for Patent Infringement (the “Motion”).

5 The Court, having considered the Motion, the parties’ submissions in support of and in  
6 opposition thereto, and the arguments of counsel, and for good cause shown, the Motion is  
7 GRANTED:

8 (1) All of the asserted claims of the four patents-in-suit are invalid under 35 U.S.C. § 101  
9 for failing to claim patent-eligible subject matter;

10 (2) Plaintiff fails to allege facts raising a plausible inference of infringement of any of the  
11 asserted claims;

12 (3) Plaintiff fails to allege facts raising a plausible inference of personal jurisdiction with  
13 respect to AGHL and Ecommerce; and

14 (4) Plaintiff fails to allege facts raising a plausible inference of willful infringement.

15 The Court HEREBY ORDERS that Defendants’ Motion to Dismiss Plaintiff’s Complaint  
16 for Patent Infringement is GRANTED with prejudice.

17 IT IS SO ORDERED.

18 Dated: \_\_\_\_\_, 2024.

19 \_\_\_\_\_  
20 The Honorable James J. Donato  
21 United States District Judge  
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